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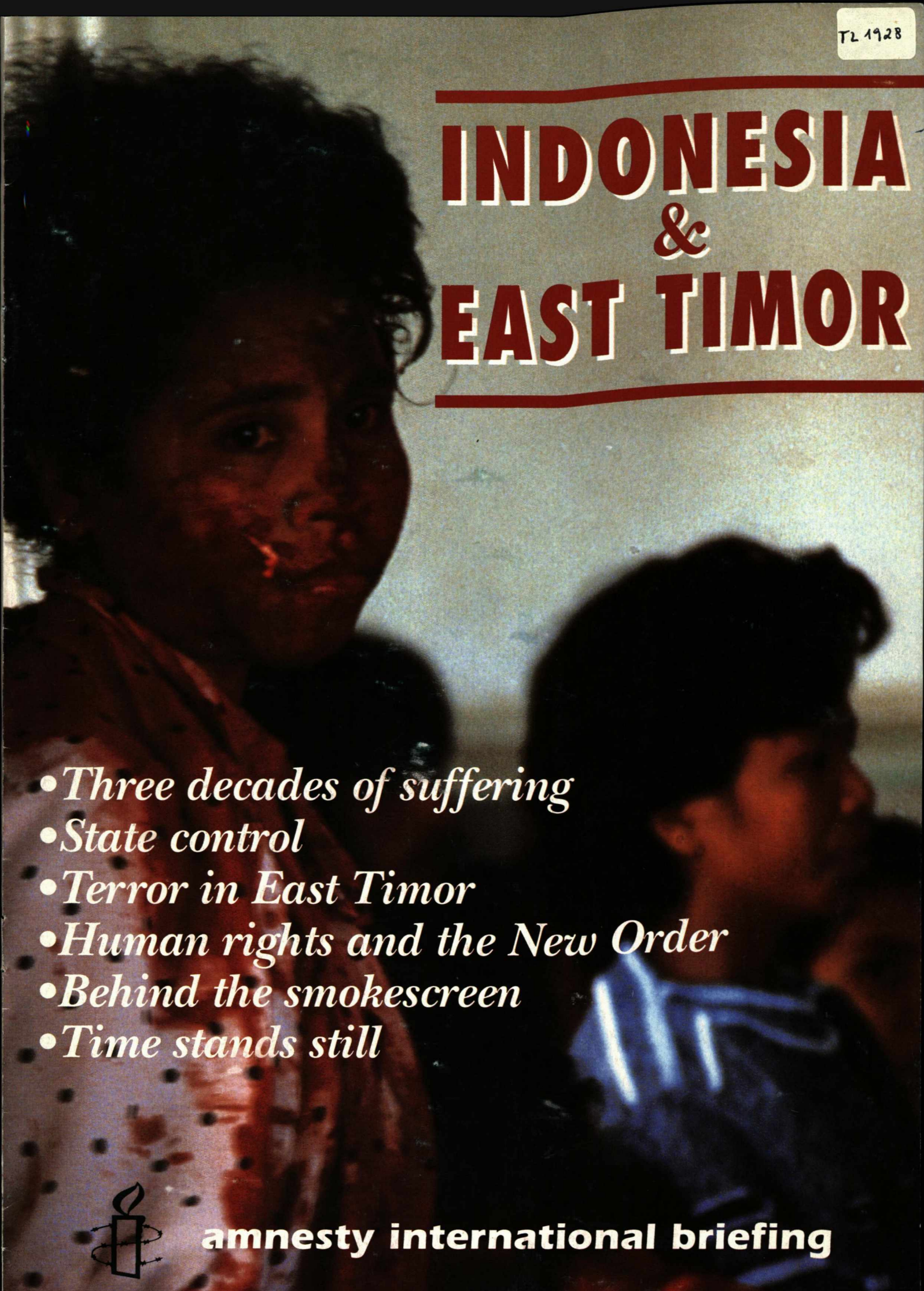

INDONESIA & EAST TIMOR

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amnesty international briefing

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On the cover

Young girl wounded when Indonesian soldiers opened fire on a peaceful procession at the Santa Cruz cemetery in Dili, East Timor, in November 1991. Some 270 people were killed and another 200 "disappeared".

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Muslim girls. Eighty-seven per cent of Indonesia's population is Muslim. It is the world's largest Islamic country. Hundreds of Muslims have been jailed and killed for political reasons; some were found guilty of acts of violence but scores were jailed solely for their peaceful beliefs and activities.

© Abbas/Magnum

Three decades of suffering

Indonesia. The tourist brochures show a country thronging with happy people in an idyllic rural setting, exotic and colourful. But there is another Indonesia which the tourists seldom see: a country ruled with an iron rod, where dissent is punished by torture, imprisonment and death.

Indonesia's New Order Government has been responsible for human rights violations on a staggering scale since the 1965 military coup which brought it to power. Hundreds of thousands of civilians have been killed; prisoners have been routinely tortured, some so severely that they died; thousands have been imprisoned following show trials solely for their peaceful political or religious views.

Indonesia's jails are filled with prisoners, many of them behind bars solely because of their non-violent religious and political beliefs. Elderly women and teenagers have been shot dead by soldiers, because they lived in a rebel stronghold, or because they protested against eviction from their land. Men in their seventies have been hauled before the firing-squad after 20 years in jail on political charges. Young children have been tortured in custody; women have been raped and molested by their captors. Trade unionists, farmers, human rights workers, community leaders, students and journalists have all been subjected to severe human rights violations.

East Timor, the former Portuguese colony illegally occupied since 1975, has seen some of the worst violations. Here the Indonesian authorities have faced opposition since the day of the invasion. Similar patterns of human rights violations have characterized counter-insurgency operations against groups fighting for independence in Aceh and Irian Jaya. Military authorities responsible for counter-insurgency operations have been given free rein to employ virtually any means to maintain national security, order and stability.

The three main opposition groups in Indonesia and East Timor have been responsible for abuses such as deliberate and arbitrary killing, torture and hostage-taking. Amnesty International condemns such abuses. However, the actions of opposition groups can never be used to justify human rights violations by government forces.

Human rights are also at risk in parts of Indonesia generally portrayed as stable and harmonious, such as the islands of Java, Sumatra, Bali, Sulawesi and Kalimantan, the regions of Nusa Tenggara and Maluku, and even the capital, Jakarta. Throughout the country, serious human rights violations have been part of the official response to political opposition and "disorder", and the means of removing perceived obstacles to economic and development policies.

Opposition continues, despite the risks. In the past three years the government has faced increasing industrial unrest, provoked by low wages and the prohibition of free trade unions. Development policies have resulted in widespread opposition from farmers facing eviction from their land to make way for hydroelectric and real estate projects, and golf courses.

> ***'Some of the corpses were left in public places ....This was done so that the general public would understand that there was still someone capable of taking action to tackle criminality.'***
>
> **President Suharto, in his 1989 memoirs**

Despite gross and persistent violations, the Indonesian Government has until recently largely escaped international pressure to improve its human rights record. Only in East Timor have human rights violations met with international protests.

With the fourth largest population in the world, a vast store of natural resources, and a huge supply of cheap labour, Indonesia has always been seen as an economic prize. The decimation of the Indonesian Communist Party (PKI) in 1965 and the establishment of a staunchly anti-communist military regime dramatically improved economic opportunities and offered substantial political benefits to the West at the height of the Cold War.

Sitting astride critical sea-lanes which link the Pacific and Indian Oceans, Indonesia is also of considerable strategic importance. As a result, the United States of America and many other western governments have provided the New Order Government with abundant economic, military and political support; at the same time they have ignored clear evidence of systematic human rights violations. Indonesia has also been spared criticism by its Asian neighbours and members of the Non-Aligned Movement.

In recent years the government has taken some measures to demonstrate its public commitment to the protection of human rights. It has established a national human rights commission and punished a few soldiers and police officers responsible for human rights violations. However, it has failed to address the root causes of human rights violations. Until this is done, there can be little hope of a significant change in the human rights situation in the near future.■

Industrial relations Indonesian-style

Marsinah, a 25-year-old watch factory worker, was abducted, raped and murdered in May 1993. She was a trade union activist, involved in a strike at her factory in Porong, East Java. She is believed to have been killed in the local military headquarters.

Pressure from labour activists and human rights groups forced the police to open an investigation; it was swiftly taken over by military intelligence. From the outset the authorities denied that Marsinah's death was related to the labour dispute, and underplayed all evidence of military involvement. Nine company employees and executives, and an army captain were arrested. The captain was charged with a disciplinary offence; the others were charged with murder.

The trials appeared intended to obscure military involvement in Marsinah's killing. Each of the nine civilians alleged their confessions had been extracted under torture, allegations that were ignored by the trial judges.

The rights to strike and organize are heavily restricted in Indonesia. Only the government-sponsored trade union federation is officially recognized. The military intervene in labour disputes. Activists are often summoned to the local military headquarters and threatened with imprisonment or physical violence unless they resign from their jobs. Their names are added to the blacklist which the military circulates to local factories. Trade union activists are arrested, harassed, and sometimes tortured. Scores of trade unionists were arrested during a wave of strikes in early 1994, and several were charged with political crimes.■

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Tanks patrol the streets of Jakarta during the 1982 elections

State control

Systematic human rights abuse is inextricably linked to the structure of political power in Indonesia. From a human rights perspective, the key features of the political establishment are the extensive political power of the military, the concentration of executive power in the hands of the President and his immediate circle, and the strict enforcement of ideological conformity.

The government claims to rule democratically. In reality, there is little political freedom. Apart from the government-backed party, Golkar, only two political parties are allowed to exist. Neither has any chance of winning a majority. Before national elections all candidates must be vetted by military intelligence and approved by the President.

The absence of any check on presidential and executive power has resulted in the arbitrary use of repressive methods. This pattern has been reinforced by the fact that the security forces have generally been free to commit human rights violations without fear of punishment.

Since its creation, the Indonesian army has been organized to deal with domestic, rather than international, threats. At the core of the military apparatus is a pervasive intelligence network which operates a sophisticated surveillance system. The army has extensive powers, even at village level, over political, social and economic, as well as military matters. It also has authority to co-opt civilians into military service. In East Timor and Aceh, civilians have been used as human shields in counter-insurgency operations, forced to sweep through suspected rebel areas ahead of troops.

> ***'We hope for openness, but openness of course has limits. If it goes beyond the system that we have arranged, then it is not allowed.'***
>
> **Military commander for Central Java, in August 1992**

The government does not depend on force alone to suppress dissent. It also relies on a system of political control based on the state ideology, *Pancasila*, the Constitution and officially defined "national goals" such as security, order and development. Any opposition to these, however peaceful, is illegal and dealt with by "firm measures". Each year, dozens of books, plays, lectures, films, meetings and poetry readings are banned. Prisoners of conscience are serving long prison sentences because they were found in possession of banned books.

The government's public commitment to religious freedom is severely limited in practice. Only five religious faiths are officially recognized. Hundreds of religious groups have been banned or disbanded and their members imprisoned on charges of subversion or membership of an illegal organization.

The strict enforcement of ideological conformity has contributed to human rights violations, both by restricting fundamental civil and political rights, and by providing a veneer of legality which conceals blatant abuses. Farmers who resist the expropriation of their land; writers who challenge the state's interpretation of history; Muslim preachers; labour activists; activists who call for democratization; human rights lawyers; advocates of independence for East Timor, Aceh and Irian Jaya—all risk accusations of being "subversives", "communists", "terrorists" or "traitors". This puts them at risk of arbitrary detention, torture, imprisonment or death, a powerful deterrent to all but the most courageous.■

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Shanty town in Jakarta. Victims of human rights violations come from all walks of life, but most are drawn from the ranks of the poor and the dispossessed.

Peaceful protesters approach the Santa Cruz cemetery in Dili. Moments later troops opened fire. An estimated 270 people were killed at the cemetery and in the days that followed. Domingos Segurado (pictured bottom left) was one of those killed.

© Steve Cox

Terror reigns in East Timor

East Timor, part of the island lying some 400 miles north of Australia and 1,300 miles from Jakarta, was a Portuguese colony until 1975. Following a brief civil war, the Revolutionary Front for an Independent East Timor (*Fretilin*) declared the territory independent in November 1975. The following month, on the pretext of ending the civil war, Indonesian forces invaded the territory and have occupied it ever since, illegally, since Indonesia's claim to East Timor has never been recognized by the United Nations (UN).

Indonesian occupation has meant two decades of terror for East Timor's people. Counter-insurgency operations against pro-independence guerrillas and a massive military presence in the territory have resulted in widespread human rights violations.

Although the pattern of violations has shifted—mass killings after the invasion; a wave of political arrests and show trials during the 1980s; more recently replaced by a policy of arbitrary arrest and short-term detention—human rights violations have been a consistent feature of Indonesian rule.

Hundreds of thousands of East Timorese have suffered death, "disappearance", torture, including rape, political imprisonment, arbitrary arrest, intimidation and harassment. No one has been spared, no matter how old, how young or how vulnerable.

Nevertheless, from the day of the invasion, Indonesia's right to occupy East Timor has been contested by its people, from guerrillas fighting in the mountains to students demonstrating on the streets of Dili, the capital.

In November 1992 the Indonesians claimed military victory in the war against the East Timor resistance, with the capture of rebel leader Xanana Gusmão. He was convicted of rebellion in May 1993, after a show trial, and is now serving a 20-year prison term. Although a small guerrilla force still operates in East Timor, much of the opposition to Indonesian rule takes the form of non-violent underground resistance by farmers, students, young people and civil servants.

> ***'These ill-bred people have to be shot...and we will shoot them.'***
>
> **General Try Sutrisno, Armed Forces Commander, on the Santa Cruz massacre**

This underground resistance was the inspiration of the peaceful procession to the Santa Cruz cemetery in Dili in November 1991, to which the Indonesians responded with the massacre of up to 270 people and the "disappearance" of some 200 others. One of the dead was Domingos Segurado, who taught at the Portuguese language school in Dili. An activist in the underground resistance, he was one of the organizers of the protest, and had been in hiding for several weeks before. A reporter whom Domingos Segurado helped, remembers him as "an extremely gentle man...trying to bring about change in a non-violent way".

The then Indonesian armed forces commander (now Vice-President), General Try Sutrisno, attempted to justify the killings on the grounds that people in the procession had "spread chaos" and shouted "unacceptable things". "In the end," he said, "they had to be shot. These ill-bred people have to be shot...and we will shoot them".

A storm of protest over the massacre forced the Indonesian Government to take the unusual step of promising to investigate the incident and bring those responsible to justice.

The official inquiry, however, was fatally flawed. It accused demonstrators of provoking the massacre, while keeping criticism of the police and military to the barest minimum. Two soldiers and eight police officers were eventually tried and received sentences ranging from eight to 18 months' imprisonment for disciplinary offences. The military officers, ultimately responsible for their troops' actions, were neither charged nor tried. By contrast, some of the peaceful protesters arrested during and after the massacre were sentenced to life imprisonment.

No massacre on a scale similar to Santa Cruz has been reported since November 1991, but extra-judicial executions continue in East Timor. Among those reportedly killed by Indonesian forces in 1992 was Humberto, a farmer from Lospalos, shot by soldiers while working in his field in August. According to reports, the soldiers cut off his head and arms, and hung them in a tree beside the road to frighten passers-by. ■

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Woman and child in East Timor. More than 200,000 East Timorese, one third of the population, died after the Indonesian invasion.

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Haur Koneng *member Wawat Setiawati, aged 18, was imprisoned for four months for refusing to surrender during a government assault.*

Shot while they prayed

Four members of *Haur Koneng* a small religious community in West Java, were shot and killed in July 1993 when government forces stormed their meeting place in the village of Sinargalih. At least 10 others, including four children, were injured in the raid. Nineteen people, including the injured, were arrested, and brought to trial.

The police claimed that group leader Abdul Manan and the others were shot because they resisted arrest. However, eye-witnesses say the troops attacked without provocation, launching grenades and tear-gas into the small compound, and then shooting at the occupants as they fled the burning buildings.

Government officials tried to justify the attack by claiming that the group posed a threat to security and stability. However, national human rights organizations investigated the assault and concluded that the security forces had deliberately killed unarmed civilians.

In response to public pressure, the police initiated an investigation, but the government refused to conduct an independent public inquiry. No member of the security forces was ever charged in connection with the killings. In marked contrast, several *Haur Koneng* members have been tried and sentenced to jail terms of between four months and one year. They included three young women, one of them pregnant at the time of the attack, accused of failing to obey orders to surrender during the assault. The judge said that rather than surrender, the three women had "...gathered together and chanted prayers until the clash between the police officers and the sect's followers occurred". ■

Human rights and the New Order

Djamilah Abubakar was found dead by the side of a road two days after Indonesian soldiers arrested her in March 1991. For Djamilah this was the end of nearly two years during which the army had persecuted her because she was married to a suspected member of *Aceh Merdeka*, the armed opposition group opposing Indonesia rule in Aceh.

In June 1989 soldiers arrived at Djamilah's home searching for her husband, Jasin. When she told them he was away and would be gone for days, they accused her of lying. They forced her at gunpoint to admit that Jasin was an *Aceh Merdeka* member, and then forced her to strip. They left after burning the house to the ground, and Djamilah went to stay with relatives in another village. Six months later, soldiers came to that village, warned villagers not to give shelter to people involved with *Aceh Merdeka* and named Djamilah as one of them. She fled to another village where she stayed for a year. Shortly after Jasin had visited her there, she was arrested and killed.

Political killings provide the most dramatic evidence of the human rights problem in Indonesia and East Timor. The slaughter which followed the 1965 coup—between 500,000 and one million people were killed—appears to have established a precedent for dealing with political opponents. In East Timor 200,000 people, one third of the population, have been killed or have died from starvation or disease since the Indonesian invasion. Some 2,000 civilians were killed in Aceh between 1989 and 1993. Hundreds of people have been extra-judicially executed in Irian Jaya over the past 15 years.

Some killings occur outside counter-insurgency operations. Hundreds of peaceful protesters and suspected political opponents have been shot dead over the years. Scores of civilians were killed by government troops in the Tanjung Priok area of Jakarta in September 1984, ostensibly in an effort to control a riotous crowd. At least 40 civilians, and possibly as many as 100, were killed in February 1989 when government forces launched a combined land and air assault on a village in Lampung, which military intelligence claimed was harbouring a Muslim rebel gang. Four people were killed and three injured in September 1993 when soldiers fired on a farmers' protest against the Nipah dam development in Madura. The list of victims continues to grow.

> ***'The grave certainly exists but I don't think it could have been 200 bodies. It's hard to tell with arms and heads all mixed up.'***
>
> **Military Commander of Aceh, commenting on the discovery of a mass grave, in mid-1990**

Criminals have also been deliberately killed. Between 1983 and 1985, government death squads summarily executed some 5,000 alleged criminals. In 1989 President Suharto boasted in his memoirs that the killings were deliberate government policy: "shock therapy" to bring crime under control.

The torture and ill-treatment of political detainees, civilians in areas of rebel activity and criminal suspects has become commonplace. Torture has been used to obtain political or military intelligence, to extract confessions and to terrorize whole communities. Adnan Beuransyah, a 34-year-old journalist and lecturer, is serving a nine-year prison term for subversion in Aceh. He was convicted of involvement with *Aceh Merdeka* on the basis of a confession extracted under torture. In his appeal he described being beaten, kicked and punched. "My shins were a particular target, and I still bear the scars on my back. My hair and nose were burned with cigarette butts. I was given electric shocks on my feet, genitals and ears until I fainted....I was ordered to sit with my legs outstretched and a length of wood was held down over my knees. Another length was placed under my buttocks which was then pumped up and down like someone jacking up a car. My knees felt as though they would break."

Torture is sometimes fatal in Indonesia. Each year dozens of people die in custody after being ill-treated or tortured. In January 1993 police in Indramayu, West Java, tortured a construction worker to death, hospitalized his wife and forced their nine-year-old son to participate in his parents' torture, all in connection with a stolen wallet.

Since 1965, arbitrary arrest and detention have formed an essential part of the government's armoury for suppressing dissent, gathering military and political intelligence and maintaining "order". Most at risk are alleged rebels or people living in areas of suspected rebel activity. In Aceh, several hundreds, possibly thousands, of people were arbitrarily detained by military forces between 1989 and 1993, some of them for up to two years. Only about 50 have ever been brought to trial. Peaceful protesters, strikers, and mem-

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Bus conductor Antony Ginting was stabbed in the head with a screwdriver, burned with cigarettes, had his fingers smashed with a hammer, and was shot 12 times in the legs by police officers who suspected him of stealing. After he recovered from his injuries, he was rearrested, convicted of theft, and served five months in jail. After his release he lodged a complaint. In response to media inquiries, the local police chief admitted that Antony Ginting had been ill-treated, but no action was taken against the police officers involved.

bers of vulnerable communities have also been arbitrarily detained.

Over 3,000 people have been tried and sentenced to lengthy prison terms for alleged political crimes since 1965. Some 350 are still serving sentences of up to life imprisonment or awaiting execution. Political trials in Indonesia and East Timor are show trials, intended partly to substantiate the claim that the New Order is a state based on the rule of law, and partly as a warning to dissidents. Political prisoners have included more than 1,000 people accused of involvement in the 1965 coup or membership of the PKI; some 500 Muslim activists, preachers and scholars; several hundred advocates of independence for East Timor, Aceh and Irian Jaya; and scores of university students, farmers, workers and human rights activists. Many are prisoners of conscience. One is Abdul Fatah Wiranapapati, a 60-year-old Muslim preacher serving eight years' imprisonment for "undermining the state ideology". The judge said he had used his preaching to disseminate "anti-government propaganda".

Execution by firing-squad is another human rights violation witnessed in Indonesia. The death penalty is mainly reserved for the government's political opponents. Of the 30 people executed since 1985, 27 were political prisoners. Most were condemned in unfair trials; some had been awaiting execution for more than 20 years. Murder and drug trafficking can also be punished by death. Those on death row often do not know they are about to die until one day they are led from their cells for pre-execution processing. From that moment they have 74 hours to live.

> ***'You can eat your Code of Criminal Procedure. It doesn't apply here.'***
>
> **Military commander in Aceh, speaking to lawyers from the Indonesian Legal Aid Institute in 1991**

Army personnel and members of elite military units, such as the Special Forces Command (*Kopassus*), the paramilitary Police Mobile Brigade (Brimob) and the anti-riot squads, have been responsible for most grave violations against suspected political opponents. According to one Achnese, "If you're taken away by the military you have a fifty-fifty chance of coming back. If you're taken away by *Kopassus* you can forget it". Fewer abuses are attributed to members of police force units, who play a relatively minor role in counter-insurgency operations and in the arrest of political suspects. However, police personnel are chiefly responsible for the torture, ill-treatment, and sometimes death, of criminal suspects.

The pattern of human rights violations in Indonesia and East Timor shows a remarkable uniformity. That uniformity stems from certain basic features of the Indonesian political system. The armed forces, particularly military intelligence and counterinsurgency units, have enormous influence. Counter-insurgency strategies entail both deliberate and unintended human rights violations. The President and the executive have absolute power which is used arbitrarily, without any effective domestic or international check. Ideological conformity is enforced at gunpoint. The legal system reflects and reinforces executive and military power, and the judiciary is neither independent nor impartial. Those responsible for human rights violations are seldom brought to justice.

Human rights violations in Indonesia and East Timor are not isolated occurrences, nor are they the work of a handful of poorly disciplined soldiers, as the government has sometimes claimed. They are the product of a network of institutions, operating procedures and ideological assumptions which underpin the government's response to expressions of dissent or signs of disorder. ■

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Top: *Workers on strike at PT Sumito, Sidoardjo, East Java, in 1993.* Above*: Some of the bullets found at the site after four people were killed in a peaceful protest against the Nipah dam project. The dam will submerge four villages and deprive hundreds of farmers of their land. The man holding the bullets was one of those accused of masterminding opposition to the dam.* Below*: Dasmen, a woman from Indramayu, West Java, was severely tortured by police who suspected her nine-year-old son of stealing a wallet.*

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Kamjai Khong Thavorn, a Thai seaman, was sentenced to death for drug smuggling in 1988. Despite doubt about his guilt and evidence that his trial was unfair, all of his appeals, including a request for clemency, have been rejected. He is in imminent danger of execution.

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Human rights activist Nuku Soleiman is serving a five-year prison term for criticizing President Suharto. Like all political trials in Indonesia, Nuku Soleiman's was unfair. From the outset, the trial was marked by an atmosphere of intimidation, with a heavy military and police security presence. The court agreed to hear only one of 17 witnesses requested by the defence, while hearing 19 witnesses for the prosecution.

Behind the smokescreen

The Indonesian Government has taken steps in recent years to improve its international image. Some public discussion of human rights is now permitted. In 1993 the government formed the National Human Rights Commission. However, the violations continue and the government has made no genuine effort to implement UN recommendations on human rights.

At the same time the government has attacked the concept of universal human rights by claiming that the principles enshrined in international standards reflect liberal western values, and that governments must be free to implement human rights standards in accordance with national culture or history. It has also argued that concern for human rights must not be allowed to impede a nation's "right to develop" nor infringe on its national sovereignty.

The government's record makes it clear that, despite the posturing, it has little intention of protecting human rights. First of all, it has taken no steps to bring those responsible for abuses to justice.

When Djatmiko, an inmate of Sragen Prison in Central Java, died in December 1992, prison officials could not decide what had caused his death. The prison director said he had fallen and hit his head; one official said he had died from a stomach complaint; another that he had been hit by a car while running an errand for prison guards. They finally agreed that Djatmiko had died from injuries caused in a fight with prison guards.

An autopsy established that Djatmiko had been repeatedly beaten about the head until his neck was broken. Police investigations found that he had been assaulted by a dozen prison guards who took turns to kick, punch and beat him with metal chairs. In March 1993, four prison guards were brought to trial in Sragen District Court. All four were acquitted.

In Indonesian law the perpetrators of human rights violations can be brought to justice. Most acts that constitute human rights violations are punishable under Indonesia's Criminal Code or Military Criminal Code. In practice, human rights abuses are seldom investigated. Military officers have discretion in deciding whether or not to proceed with a case.

> ***'...the shooting of criminals can be understood... Which is to be chosen, protecting the human rights of criminals or the victims of crime?'***
>
> **Bambang Suharto, member of the National Human Rights Commission, December 1993**

When investigations do occur they are almost always conducted by the security forces and often by members of the unit believed responsible, so it is scarcely surprising that the perpetrators of human rights violations are seldom brought to justice. When they are, the punishment does not reflect the severity of the crime. Criminal charges against members of the security forces are heard before a military court. As with most military court systems, Indonesia's has a reputation for protecting members of the security forces who claim to have been acting in the line of duty. In the past five years the only army personnel convicted of violating human rights were two soldiers imprisoned for eight months for their role in the Santa Cruz massacre.

Public statements by the government and the military authorities encourage members of the security forces to believe they may act with impunity. While government and military authorities deny responsibility for arbitrary killings, they have made public statements which condone the use of extrajudicial execution in counter-insurgency operations. In May 1990 the then armed forces commander, General Try Sutrisno, admitted military responsibility for some "accidental" civilian deaths, but attempted to justify them by saying: "If there were victims on the civilian side, that was something that could not be avoided".

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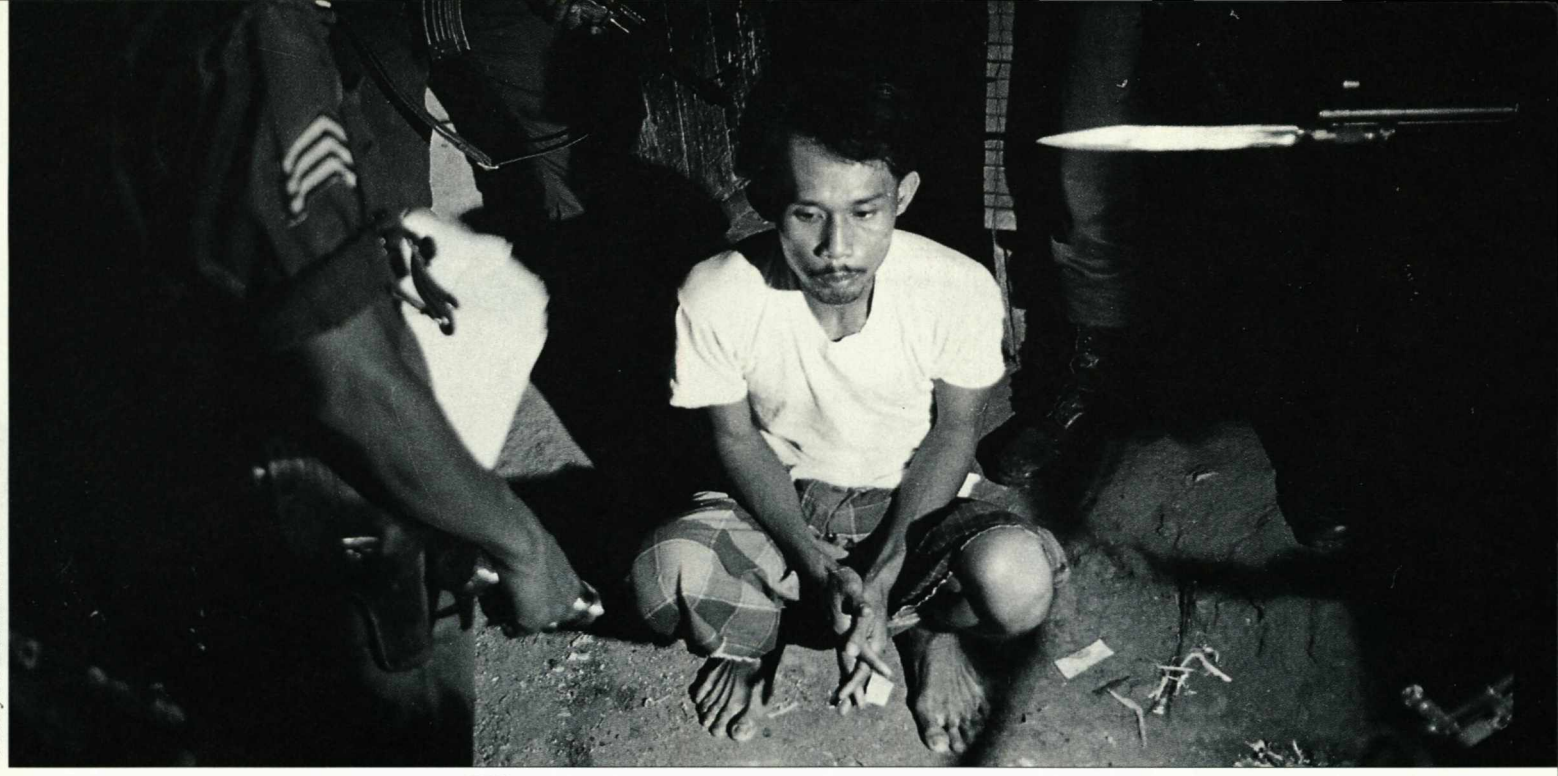
Haji Dodo, a 70-year-old farmer from Cijayanti, West Java, who was almost killed by security guards trying to intimidate him and others who were peacefully resisting eviction from their land.

The second issue which exposes the government's lack of commitment to ending the abuses is the fact that it continues to persecute human rights activists.

Nuku Soleiman, a university student and chairperson of an independent human rights organization, is serving a five-year prison sentence. He was arrested in November 1993 during a peaceful protest outside the Indonesian parliament in Jakarta. He was accused of distributing stickers in which the acronym for the country's state-backed lottery (SDSB) was given a new meaning deemed to be insulting to President Suharto. The stickers said "*Suharto Dalang Segala Bencana*" ("Suharto is the mastermind of all disasters") and cited many serious human rights violations committed by Indonesian security forces since 1965.

Human rights activist Dedi Ekadibrata was imprisoned in mid-1994, after being convicted of inciting an arson attack on a company seeking to develop land farmed by residents of Cijayanti in West Java. Company buildings were set on fire by villagers after company security guards armed with sickles and machetes had attacked and almost killed Haji Dodo, a 70-year-old farmer. However, lawyers believe that Dedi Ekadibrata was victimized because of his peaceful activities on behalf of the farmers of Cijayanti, who were resisting eviction from their land. Throughout Indonesia, human rights activists and lawyers working with farmers facing eviction from their land have suffered short-term detention, ill-treatment and imprisonment.■



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Fear stalked the streets after the 1965 coup as PKI members and supporters were hunted down. This man was detained in Jakarta after curfew.

Time stands still

The military coup of 1 October 1965 was the prelude to one of the worst massacres of this century. In less than one year, somewhere between 500,000 and one million people were killed. Indonesia's current government rose to power in the bloody aftermath of the coup. Almost 30 years later, the coup and its aftermath still exert a profound influence on Indonesia's political life, and on the government's human rights policy and practice.

Over one million people were detained for involvement with the PKI after the coup. At least 100,000 were held without charge or trial for up to 14 years. Only a fraction of those arrested, about 1,000, were eventually brought to trial. They were sentenced to lengthy prison terms or condemned to death. Most were released by 1979, but some 30 remain in jail, six of them on death row.

Recent official statements have caused concern for the safety of one of these prisoners, Sukatno, a former member of parliament and PKI member who has been in jail for more than 25 years. Sukatno has refused to request clemency because he maintains that he is innocent and because he apparently fears that this would remove the last legal obstacle to his execution. In September 1993 President Suharto rejected an appeal from the Inter-Parliamentary Union on Sukatno's behalf, stating: "the convicted person has never asked for clemency nor has shown any sign of remorse...Consequently, there is no choice for the Indonesian Government but to implement the execution of the court's verdict".

The trials of those charged with involvement with the PKI were grossly unfair. The virulent anti-communism which followed the coup meant that few witnesses dared testify on behalf of suspected PKI members. Defence lawyers were accused of communist sympathies, threatened and harassed. Many witnesses were also prisoners, and the "evidence" they gave had often been extracted under torture. The judges were biased, particularly those who headed the special military courts which tried high-ranking PKI members. Many PKI prisoners were denied the right to appeal; those allowed to appeal often waited 10 or 20 years to learn that their appeals had been rejected.

> ***'They are asking for more freedom... This is a warning for us to beware of the PKI... The name is different but it is the same movement. We have to stay alert...'***
>
> **President Suharto on the pro-democracy movement, December 1993**

Years after their release, hundreds of thousands of those imprisoned as PKI members or supporters still face severe restrictions on their civil and political rights. Although most were never tried or found guilty of any offence, their identity cards are marked "ET", an acronym signifying "Former Political Prisoner". This mark carries with it a powerful political and social stigma, as well as real legal limitations, that affect not just former detainees but also their relatives, many of whom had not even been born at the time of the 1965 coup. Over one million people have their identity cards marked "ET".

Former prisoners or PKI members, and often members of their families, are prohibited from working in any occupation which might give them the opportunity to influence public opinion, such as journalist, teacher, village head, actor, puppeteer or religious preacher. Severe restrictions on freedom of movement mean that they are effectively under house or town arrest, and must seek special permission to travel or even to move house. Thousands are forbidden to leave the country.

Former PKI prisoners also suffer political restrictions. They are granted the right to vote only with the explicit approval of government and military authorities, after investigations to establish their political attitudes and behaviour. Over 35,000 were forbidden to vote in the 1992 elections.

Although a handful of PKI leaders were probably aware of the planned coup, the vast majority of PKI members and supporters had no knowledge of it, and played no role in it.

The official myth of PKI responsibility has continued to sustain virulent anti-communism, and to justify the repression of political opposition. Today's dissidents are often labelled "fourth generation communists".

The idea that the PKI "betrayed" the nation has meant that those who killed alleged communists have been exonerated of their crimes and revered as national heroes, at least by those currently in power. According to official history, the guilty are not those who ordered the killing of hundreds of thousands of civilians, but the victims themselves. ■

Because of their advanced age, a number of PKI prisoners have died in custody, while others suffer serious illnesses. Pudjo Prasetio was diagnosed in 1993 as suffering from Parkinson's disease. A former shipbuilder and trade unionist, he joined the PKI in the mid-1950s. He was arrested in 1967 and held for 12 years before being tried and sentenced to life imprisonment for subversion. His health is deteriorating.

Recommendations

Amnesty International urges the Government of Indonesia to implement the following measures to improve the human rights situation in Indonesia and East Timor.

1. Resolve and provide redress for human rights violations

- **Investigate political killings and "disappearances".**
- **Release all prisoners of conscience.**
- **Provide fair trials, or release, all political prisoners.**
- **Compensate victims and their relatives.**
- **Bring those responsible for abuses to justice.**

2. Prevent human rights violations

- **Abolish the death penalty.**
- **Prohibit extrajudicial execution and torture.**
- **Prohibit the use of evidence obtained under torture.**
- **Ensure that all detainees have access to lawyers of their choice, doctors, and relatives.**
- **Ensure that the mandate, composition and methods of work of the National Human Rights Commission comply with UN standards.**
- **Repeal the Anti-Subversion Law and review all legislation to ensure that national security interests cannot be invoked to imprison prisoners of conscience.**
- **Disarm those suspected of human rights violations and remove them from active service.**

3. Promote human rights

- **Invite the relevant UN bodies to investigate the human rights situation in Indonesia and East Timor.**
- **Invite the UN Special Rapporteur on torture to visit Indonesia and East Timor again.**
- **Accede to the International Covenant on Civil and Political Rights and its Optional Protocols.**
- **Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**
- **Permit domestic and international human rights organizations, including Amnesty International, to monitor human rights in Indonesia and East Timor.**

Recommendations to UN member states

Amnesty International calls upon UN member states to:

- **Urge the Indonesian Government to invite the relevant UN bodies to visit Indonesia and East Timor.**
- **Urge the government to implement UN recommendations on preventing torture and extrajudicial executions.**
- **Ensure that the human rights situation in Indonesia and East Timor is monitored under UN auspices.**
- **Encourage the Indonesian Government to accede to international human rights standards.**
- **Ensure that asylum-seekers are not returned to Indonesia or East Timor if they would be at risk of serious human rights violations there.**■

Yeni Damayanti (pictured leaving the courtroom) was one of 21 students sentenced to six months' imprisonment in May 1994 for "insulting" President Suharto. The students were arrested at a demonstration which called on President Suharto to take responsibility for past human rights violations. Yeni was one of four students who read poems during the protest. President Suharto accused the students of using PKI methods.

Who is to blame?

Indonesia's Government has killed, tortured and jailed its opponents at will, for almost three decades, under the guise of fighting communism and instability. For most of that time the international community has remained silent.

There is a simple reason for this. From its inception, Indonesia's New Order Government has been an important friend and ally to the West and has been spared criticism by its Asian neighbours and member states of the Non-Aligned Movement.

The political imperatives of the Cold War, coupled with economic gains to be made from Indonesia's huge market and supply of cheap labour, pushed human rights to the bottom of the international agenda.

Foreign governments have not only remained silent in the face of systematic human rights abuse in Indonesia and East Timor. They have also supplied money, equipment and training to the same security forces responsible for 30 years of human rights violations.

Since the Cold War ended, the political imperatives of anti-communism have been replaced by a preoccupation with "democratization" and "good governance". Some governments have now begun to voice concern about Indonesia's human rights record, particularly in East Timor.

A handful of governments have backed their words with action, by linking aid to human rights improvements, for example. Nevertheless, the international community's response to Indonesia's human rights record leaves much to be desired. Many governments which express concern over human rights in Indonesia and East Timor continue to supply military equipment to Indonesia, equipment which could be used to commit human rights violations.

> ***'Twenty-seven years is enough time for the rulers of any state to restore human rights. And 27 years is far too long for those who have suffered such theft to have to defend and uphold their rights.'***
>
> **Pramoedya Ananta Toer, Indonesia's leading novelist and a former prisoner of conscience, December 1992. All his books are banned in Indonesia and his rights are severely restricted.**

It is a brave thing to be a human rights activist in Indonesia. It can mean putting the basic principles of the right to life, freedom from torture, freedom from hunger, and freedom of speech, association and belief, before one's own life and liberty.

Thousands of people in Indonesia and East Timor have put human rights first. They need support. The best way to support them is to publicize the grave violations of human rights for which the Indonesian Government is responsible.

The government has only acted when human rights violations have become the focus of widespread national and international protest. There are few examples of this. One is the Santa Cruz massacre. International protest forced the government to hold an inquiry and punish two soldiers. An utterly inadequate response to the massacre of some 270 people and the "disappearance" of another 200. Nevertheless this was the only case in the past five years in which members of the army have been brought to justice.

A fundamental problem is that the international community has focused almost exclusively on the human rights problem in East Timor and, even there, only on the most dramatic incidents such as the Santa Cruz massacre.

Grave violations committed by Indonesian forces throughout the archipelago have gone virtually unnoticed. On the few occasions when human rights violations outside East Timor have drawn international attention, these have been treated as isolated incidents.

The reality is that human rights abuse is not confined to East Timor, and that the killing, torture and political imprisonment reported from various parts of Indonesia are far from isolated incidents; they are part of the pattern of gross and systematic human rights violations which has unfolded over more than a quarter of a century.■

What can you do?

The victims of human rights violations in Indonesia and East Timor need your help. Amnesty International is mounting an international campaign to increase awareness of the human rights situation in Indonesia and East Timor and mobilize people to act. Individuals and groups around the world can make a difference.

Join our campaign

Contact the Amnesty International office in your country and ask how you can help. We will be organizing public events, petitions, appeals, and lobbying on behalf of the victims of human rights violations and human rights activists in Indonesia and East Timor.

Help publicize the reality of Indonesia & East Timor

Distribute Amnesty International's publications and raise the issue of human rights in Indonesia and East Timor with any groups or organizations you are a member of. Write letters to newspapers or magazines.

Urge your government to act

Write to your Foreign Minister asking that human rights issues be taken up with the Indonesian Government and that Amnesty International's recommendations be supported. Ask local politicians and other elected representatives to call on your government to act.

Appeal to the Indonesian Government to act

Write to the Indonesian Embassy in your country expressing concern and calling for Amnesty International's recommendations to be implemented. ❑

AI Publications

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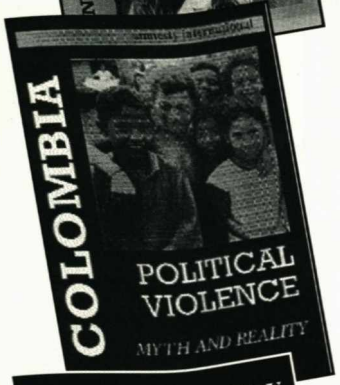

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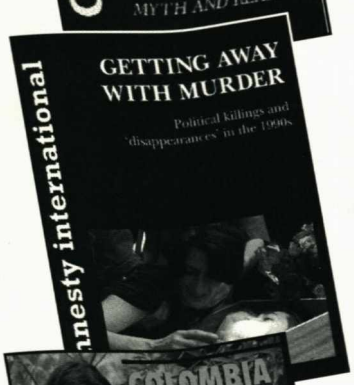

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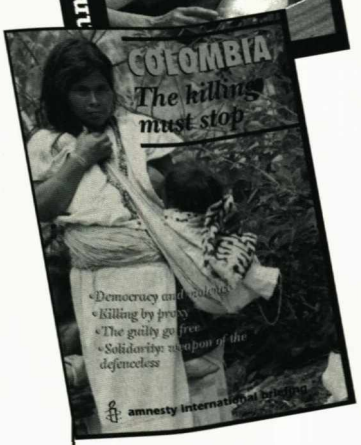

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